

Remarks

In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

Claims 3-9 have been indicated as containing allowable subject matter. The Applicant would like thank the Examiner for this indication of allowable subject matter.

Claim 1 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Cappendijk (US 2003/0025676) in view of Applicant's admitted prior art (AAPA).

Claim 1 has been amended for clarification purposes.

The above-mentioned rejection is respectfully traversed and submitted to be inapplicable to claim 1 for the following reasons.

Claim 1 is patentable over the combination of Cappendijk and AAPA, since claim 1 recites an information display device including, in part, a menu display controller operable to cause a menu of a hierarchical menu showing an operation item group of an apparatus to be displayed on a display screen in response to a switch signal from an input device when a hand of an operator enters a range within a predetermined distance away from the input device, and terminate the display of the menu of the hierarchical menu after the hand of the operator is taken off of the input device; a counter operable to count a period of time during which the hand of the operator is in the range; and a delay time setting means for setting, based on the period of time counted by the counter, a delay time that is a period of time from an instant at which the hand of the operator is taken off of the input device until the menu display controller terminates the display of the menu of the hierarchical menu, wherein the menu display controller terminates the display of the menu of the hierarchical menu after the set delay time has passed from an instant when the hand of the operator is taken off of the input device. The combination of Cappendijk and AAPA fails to disclose or suggest these features of claim 1.

Cappendijk discloses a graphical interface 100 including a panel 102 and a sensor 104. The sensor 104 can detect a movement in its detecting range and is configured to detect an individual's presence in a region from the sensor 104. The sensor 104 controls the display of a graphical menu 106 on the panel 102. The menu 106 is displayed when the sensor 104 detects the individual's presence in the vicinity of the sensor 104.

During operation, the menu 106 appears on the panel 102 when the sensor 104 detects, for example, a hand 110 of the individual. In a first embodiment, the menu 106 may be

displayed while the hand 110 of the individual is in the detecting range of sensor 104 and the menu 106 can then be hidden when the hand 110 leaves the detecting range. In a second embodiment, the menu 106 is displayed when the hand 110 of the individual enters the detecting range of the sensor 104. The menu 106 is then hidden after a predetermined elapsed period of time regardless of whether or not the hand 110 of the individual is still in the detecting range of the sensor 104. In a third embodiment, the menu 106 is hidden after an elapse period of time of the hand 110 not being in the detection range of the sensor 104. (See page 2, paragraphs [0016] – [0019] and [0021] and Figure 2).

In the rejection, the third embodiment of Cappendijk which discloses that the menu 106 is hidden after an elapse period of time of the hand 110 not being in the detection range of the sensor 104 is now relied upon, based on the discussion in the “Response to the Arguments” section, as disclosing the above-mentioned features of claim 1. Regarding this embodiment, it is noted that there is no disclosure or suggestion in Cappendijk of how the duration of the elapse period of time is determined. On the other hand, the counter recited in claim 1 is operable to count a period of time during which the hand of the operator is in the range. Then, the delay time setting means sets, based on the period of time counted by the counter, a delay time that is a period of time from an instant at which the hand of the operator is taken off of the input device until the menu display controller terminates the display of the menu of the hierarchical menu. Clearly there is no disclosure or suggestion in Cappendijk that the third embodiment determines the elapse period of time in a similar manner.

Further, the discussion in the “Response to the Arguments” section also adds the term “[not]” when summarizing the arguments submitted on June 13, 2006. However, the addition of “[not]” is incorrect. As correctly set forth in those arguments, the counter is recited as being operable to count a period of time when the hand of the operation is in the range. Therefore, it appears that there is a misunderstanding regarding the claimed invention. Regarding this, the claimed counter counts a period of time during which the hand of the operator is in the range, and the claimed delay time setting means sets the delay time that is a period of time from the instant at which the hand of the operator is taken off of the input device until the menu display controller terminates the display of the menu of the hierarchical menu based on the period of time counted by the counter. In other words, the amount of time until the menu display controller terminates the display of the menu after the user’s hand is taken off of the input device

is based on the period of time that the operator's hand was in the range of the input device. It is clear that Cappendijk fails to disclose or suggest these features of claim 1. Therefore, in order for the combination of Cappendijk and AAPA to render the present invention as recited in claim 1 obvious, it is necessary for AAPA to disclose or suggest these features of claim 1.

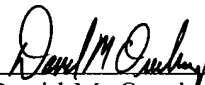
Regarding AAPA, it is relied upon as disclosing the use of a hierarchical menu to control an apparatus. However, it is clear that AAPA fails to disclose or suggest the above-discussed features recited in claim 1. As a result, claim 1 patentable over the combination of Cappendijk and AAPA.

Because of the above-mentioned distinctions, it is believed clear that claims 1 and 3-9 are allowable over the references relied upon in the rejection. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 1 and 3-9. Therefore, it is submitted that claims 1 and 3-9 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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October 4, 2006